

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

MICHELLE R. KLAHN,

Plaintiff,

v.

GLAXOSMITHKLINE, LLC,

Defendant.

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Civil Action No. 7:19-cv-00365

By: Elizabeth K. Dillon

United States District Judge

DISMISSAL ORDER

This matter is before the court on the February 26, 2021 Report and Recommendation (R&R) of U.S. Magistrate Judge Robert S. Ballou that this matter be dismissed without prejudice for want of prosecution. (Dkt. No. 43.) The magistrate judge also advised the parties of their right under 28 U.S.C. § 636(b)(1)(C) to file written objections to his proposed findings and recommendations within 14 days of service of the R&R.

The deadline to object to the R&R has passed, and no party has filed an objection. “[I]n the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Upon reviewing the record, the court is satisfied that there is no clear error. Accordingly, the court hereby ORDERS as follows:

1. The R&R (Dkt. No. 43) is ADOPTED;
2. This matter is DISMISSED WITHOUT PREJUDICE; and
3. This matter is STRUCK from the active docket of the court.

The clerk is directed to send a copy of this order to all counsel of record and to the pro se plaintiff.

Entered: April 14, 2021.

/s/ Elizabeth K. Dillon

Elizabeth K. Dillon
United States District Judge